

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1447 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 3-11-15-13.3, AS AMENDED BY P.L.164-2006,
4 SECTION 118, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE UPON PASSAGE]: Sec. 13.3. (a) To be approved by the
6 commission for use in Indiana, a voting system must meet:
7 **(1) the Voting System Standards adopted by the Federal Election**
8 **Commission on April 30, 2002; or**
9 **(2) the Voluntary Voting System Guidelines adopted by the**
10 **United States Election Assistance Commission on December**
11 **13, 2005.**
12 (b) A county may continue to use an optical scan ballot card voting
13 system or an electronic voting system whose approval or certification
14 expired on or before October 1, ~~2005~~; **2009**, if the voting system:
15 (1) was:
16 (A) approved by the commission for use in elections in Indiana
17 before October 1, ~~2005~~; **2009**; and
18 (B) purchased by the county before October 1, ~~2005~~; **2009**;
19 and
20 (2) otherwise complies with the applicable provisions of HAVA
21 and this article.
22 However, a voting system vendor may not market, sell, lease, or install
23 a voting system described in this subsection.
24 (c) As provided by 42 U.S.C. 15481, to be used in an election in
25 Indiana, a voting system must be accessible for individuals with
26 disabilities, including nonvisual accessibility for the blind and visually
27 impaired, in a manner that provides the same opportunity for access
28 and participation (including privacy and independence) as for other
29 voters.
30 (d) As provided by 42 U.S.C. 15481, an election board conducting

1 an election satisfies the requirements of subsection (c) if the election
2 board provides at least one (1) electronic voting system or other voting
3 system equipped for individuals with disabilities at each polling place.

4 (e) If a voter who is otherwise qualified to cast a ballot in a precinct
5 chooses to cast the voter's ballot on the voting system provided under
6 subsection (d), the voter must be allowed to cast the voter's ballot on
7 that voting system, whether or not the voter is an individual with
8 disabilities.".

9 Renumber all SECTIONS consecutively.

(Reference is to EHB 1447 as printed April 10, 2009.)

Senator LAWSON C